

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

THIRTY-THIRD DAY'S PROCEEDINGS

**Thirty-second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, May 24, 2006

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Chandler	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth

Downs
Durand
Erdey
Fannin
Total - 104

Martiny
McDonald
McVea
Montgomery

White
Winston
Wooton

ABSENT

Kennard
Total - 1

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Kenney.

Pledge of Allegiance

Rep. Dartez led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Lambert, the reading of the Journal was dispensed with.

On joint motion of Reps. Burns and Romero, and under a suspension of the rules, the Journal of May 23, 2006, was corrected to reflect them as voting yea on final passage of Senate Bill No. 1.

On motion of Rep. Frith, the Journal of May 23, 2006, was adopted.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 225
Returned without amendments

House Concurrent Resolution No. 226
Returned without amendments

House Concurrent Resolution No. 230
Returned without amendments

House Concurrent Resolution No. 234
Returned without amendments

House Concurrent Resolution No. 235
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 101

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 522

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 522—
BY SENATOR CHEEK

AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 231—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals (DHH) to develop and implement a statewide pharmacy access program to increase access to prescription drugs by our underinsured and uninsured citizens.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 232—
BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To urge and direct the Governor's Office of Homeland Security and Emergency Preparedness to facilitate, coordinate, and assist the prompt and timely payment of ambulance services rendered during the aftermath of Hurricanes Katrina and Rita and further

to request that the office develop policies to coordinate the expeditious allocation and payment of emergency ambulatory services for future declared disasters.

Read by title.

Under the rules, the above resolution was referred to the Committee on Judiciary.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend and congratulate Northwestern State University Demons basketball coach, Mike McConathy, upon the occasion of the completion of the 2005-2006 basketball season, which included a win in the National Collegiate Athletic Association (NCAA) men's basketball tournament and the winning of its second consecutive Southland Conference championship.

Read by title.

On motion of Rep. Townsend, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 100—
BY SENATORS MALONE, CHEEK AND JACKSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Sarah Ann Hoffman Snyder.

Read by title.

On motion of Rep. Jane Smith, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To recognize October 1, 2006, as World Peace Day in the state of Louisiana.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was concurred in.

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 111—
BY SENATOR NEVERS

AN ACT

To enact R.S. 17:263, relative to secondary education curricula; to provide relative to required courses of study; to require certain topics to be included in certain courses of study; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

SENATE BILL NO. 467—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 40:971(D) and (E), relative to controlled dangerous substances; to require production of photographic identification under certain circumstances; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 569—
BY SENATOR MURRAY

AN ACT

To enact R.S. 29:725.1, relative to the authority of the attorney general in certain emergencies; to authorize the issuance of cease and desist orders by the attorney general during an emergency; to provide for the power of the attorney general to issue cease and desist orders when immediate action through the normal judicial process is not possible; to provide for proper venue to request a hearing; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 652—
BY SENATOR LENTINI

AN ACT

To enact R.S. 14:102.21 and to repeal R.S. 14:102.1(D), relative to criminal offenses; to provide relative to the criminal code and to offenses against the state; to provide relative to the prohibition of certain activities and the penalties provided therefor; to provide relative to offenses against animals and affecting the public sensibility; to create the crime of cockfighting; to provide relative to the prosecution of such crime; to provide for definitions; to prohibit transportation of certain animals for certain purposes; to prohibit certain activities related to cockfighting; to provide relative to penalties, conditions, and requirements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

As a substitute motion, Rep. Toomy moved that the bill otherwise be referred to the Committee on Administration of Criminal Justice.

Point of Order

Rep. Trahan asked for a ruling from the Chair as to whether the substitute motion to change the committee referral of the bill to another committee when the committee chairman was not present was in order.

Ruling of the Chair

The Chair ruled the motion to change the referral was not in order since the chairman was not present.

Motion

On motion of Rep. Trahan, the bill was returned to the calendar.

SENATE BILL NO. 688—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:402(C), (E)(1)(c) and (2)(c) and (F)(3), 1280.21 and 1280.22(B)(1), relative to the presidential preference primary and elections held at the same time as such primary; to change the dates of the presidential preference

primary and elections held at the same time as such primary; to provide relative to a candidate qualifying for such an election; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hutter, the bill was returned to the calendar.

SENATE BILL NO. 695—BY SENATORS CRAVINS AND N. GAUTREAUX
AN ACT

To amend and reenact R.S. 27:392(C)(2) and to enact R.S. 27:361(B)(4)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to further the purposes of the Act by requiring payment of a fixed amount to establish a health and welfare plan for Louisiana jockeys; to provide for the distribution for the Greater New Orleans Sports Foundation Fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**House and House Concurrent Resolutions
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 180—BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to develop and prepare an Action Plan to use Community Development Block Grant funds to redeem, purchase, defease, or otherwise retire not less than fifty percent of the bonds of the Louisiana Citizens Property Insurance Corporation.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 191—BY REPRESENTATIVE PITRE
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2007 Regular Session of the Legislature of Louisiana that portion of Act No. 57 of the 2005 Regular Session of the Louisiana Legislature that delineates the coordinates of the approximately five acres to be used by the Grand Isle Port Commission for off-bottom oyster culture.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 191 by Representative Pitre

AMENDMENT NO. 1

On page 1, line 2, change "2006" to "2007"

AMENDMENT NO. 2

On page 1, line 21, change "2006" to "2007"

On motion of Rep. Quezairé, the amendments were adopted.

On motion of Rep. Quezairé, the resolution, as amended, was ordered engrossed and passed to its third reading.

**Senate Concurrent Resolutions
Reported by Committee**

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development and the Department of Agriculture and Forestry to promote the use of alternative fuels and provide incentives for companies and consumers who use alternative fuels.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 65—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to define marriage in the United States as the union between one man and one woman.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the resolution was ordered passed to its third reading.

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 408—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 46:1606(B) and (D) and to enact R.S. 46:1606(E) and 1608(F), relative to councils on aging; to provide for the distribution of funds to parish councils on aging in the event of a disaster; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 408 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 2, after "46:1606(E)" and before the comma "," insert "and 1608(F)"

AMENDMENT NO. 2

On page 1, line 8, after "46:1606(E)" and before "hereby" delete "is" and insert "and 1608(F) are"

AMENDMENT NO. 3

On page 2, after line 28, insert the following:

* * *

§1608. Senior centers; appropriation; allocation of funds; Rapides Parish area agency

* * *

F. The executive director may reallocate funds between parish councils on aging, or in Rapides Parish, to or from the Rapides Parish Area Agency, to provide for an increase or decrease in Louisiana residents age sixty or over in such parish due to a disaster. Such allocation shall be subject to review and approval of the Joint Legislative Committee on the Budget. For the purposes of this Subsection "disaster" means a disaster declared by the governor by executive order or proclamation pursuant to the Louisiana Homeland Security and Emergency Disaster Act (R.S. 29:701 et seq.)."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 448—

BY REPRESENTATIVE MARCHAND

AN ACT

To enact R.S. 9:3509.4, relative to deferments on loans; to authorize the expenditure of funds during certain emergencies or disasters to facilitate communication of certain information; to require a lender to obtain written approval of borrowers prior to certain deferments granted due to a declared disaster or emergency; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 448 by Representative Marchand

AMENDMENT NO. 1

On page 1, line 2, between "loans;" and "to" insert "to authorize the expenditure of funds during certain emergencies or disasters to facilitate communication of certain information;"

AMENDMENT NO. 2

On page 1, at the end of line 2, delete "provide", delete line 3, and insert the following:

"obtain written approval of borrowers prior to certain deferments granted due to a declared disaster or emergency;"

AMENDMENT NO. 3

On page 1, line 8, after "contrary," delete the remainder of the line and delete lines 9 through 14, and insert the following:

"when the governor declares a state of disaster or emergency pursuant to R.S. 29:721, et seq., and the federal financial regulatory bodies issue guidelines to financial institutions regarding their response thereto, the commissioner of the office of financial institutions is authorized to expend funds in the utilization of all reasonably efficient means of communication to encourage and facilitate communication between Louisiana citizens and their particular financial institution and to inform and educate Louisiana citizens of their potential options under such guidelines. If a lender requires full payment of the deferred principal and interest upon termination of the deferment period, then the lender shall obtain written approval from the borrower prior to the acceptance of the deferment."

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 591—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3802(C)(2)(a), relative to appropriations to the Board of Regents and to the State Board of Elementary and Secondary Education for administrative costs related to the Louisiana Quality Education Support Fund; to provide limitations; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 657—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Section 1 and to repeal Section 2 of Act No. 453 of the 2005 Regular Session of the Legislature, which authorizes the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 877—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2014(D)(5), relative to solid waste; to provide for fees collected from certain solid waste facilities; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Original House Bill No. 877 by Representative Damico

AMENDMENT NO. 1

On page 1, line 13, delete "solid waste"

AMENDMENT NO. 2

On page 1, line 13, after "facility" and before the comma "," insert "permitted as a construction or demolition debris landfill"

AMENDMENT NO. 3

On page 1, line 14, change "one dollar" to "twenty cents"

AMENDMENT NO. 4

On page 1, line 14, delete "per year"

AMENDMENT NO. 5

On page 1, line 15, after "facility," insert "The fee provided for in this Paragraph shall only apply to construction or demolition debris which is subject to a fee imposed by the facility."

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1028—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 42:808(A)(11) and 851(Q), relative to state group benefits programs; to provide that certain former members of the legislature shall be eligible for group benefits programs; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1028 by Representative Hopkins

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 42:808(A)(11)" and before the comma "," insert "and 851(Q)"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 42:808(A)(11)" and before "hereby" delete "is" and insert "and 851(Q) are"

AMENDMENT NO. 3

On page 1, after line 14, insert the following:

"* * *

§851. Authority for employee benefit programs; payroll deduction for payment of premiums

* * *

Q. The state contribution for persons made eligible pursuant to R.S. 42:808(A)(1) shall be the same as that provided for retirees in Subsection E of this Section."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1122—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 38: 2212.7, 2212.8, and 2212.9, relative to bids for public contracts; to establish a process for the debarment of certain contractors; to create a local debarment committee authorized to recommend the debarment of certain contractors for cause; to provide causes for debarment; to provide access to the hearing and appeals process for debarred contractors seeking reinstatement; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Environment.

The substitute was read by title as follows:

HOUSE BILL NO. 1398 (Substitute for House Bill No. 1122 by Representative Beard)—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 38:2212(F)(3) and 2212.1(C)(3), relative to contracts let by public entities; to provide relative to purchases by public entities of water or sewerage equipment, apparatus, machinery, materials, or supplies; to prohibit certain parties from packaging products contained in bid specifications; to require certain products to be priced individually in bids; and to provide for related matters.

Read by title.

On motion of Rep. Damico, the substitute was adopted and became House Bill No. 1398 by Rep. Beard, on behalf of the Committee on Environment, as a substitute for House Bill No. 1122 by Rep. Beard.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 1188—

BY REPRESENTATIVE LAFONTA

AN ACT

To amend and reenact R.S. 45:844.43(1) and to enact R.S. 45:844.43(21) and (22) and 844.45(C), relative to the Local Government Fair Competition Act; to provide for definitions; to provide for certain exemptions from the requirements of the Local Government Fair Competition Act; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1188 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 45:844.42" and insert "R.S. 45:844.43(1)"

AMENDMENT NO. 2

On page 1, line 3, after "Act;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "legislative findings and declaration of intent;"

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." delete "R.S. 45:844.42" and insert "R.S. 45:844.43(1)"

AMENDMENT NO. 5

On page 1, delete lines 10 through 20 in their entirety

AMENDMENT NO. 6

Delete pages 2 and 3 in their entirety

AMENDMENT NO. 7

On page 4, delete lines 1 and 2 in their entirety

AMENDMENT NO. 8

On page 4, between lines 5 and 6 insert the following:

"(1) "Advanced service" means high-speed Internet access capability in excess of ~~144~~ 512 kilobits per second both upstream and downstream. "Advanced services" shall include both cable and wireless Internet services."

AMENDMENT NO. 9

On page 4, delete lines 16 through 19 in their entirety and insert the following:

"C. This Chapter shall not apply to any local government operating under a gubernatorially declared state of emergency that provides wireless Internet services via wireless Internet network when such services are provided:

(1) Free of charge to persons within the boundaries of the local government's jurisdiction; and

(2) Without commercial advertising or other charges to view or access the Internet; and

(3) For no longer than one year following the date the gubernatorially declared state of emergency is lifted."

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1287—BY REPRESENTATIVES GRAY, ALEXANDER, CHANDLER, T. POWELL,
AND WALKER

AN ACT

To enact R.S. 17:1687, relative to tuition and fee exemptions at public postsecondary education institutions; to exempt certain persons previously in the state's foster care program from the payment of tuition and mandatory fee amounts at such institutions; to provide eligibility criteria; to provide for the duration of such exemptions; to provide for verification of foster care status; to provide for effectiveness; to provide relative to implementation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1397 (Substitute Bill for House Bill No. 911 by Representative DeWitt)—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 18:1505.2(S) and R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to recordkeeping; to provide for limitations on such contingent fee contracts; to prohibit the attorney general from accepting certain contributions; to prohibit an attorney or a law firm who has entered into a certain contract with the attorney general from making contributions; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 32—

BY SENATOR THEUNISSEN

AN ACT

To create the Parishwide School District of the Parish of Cameron, State of Louisiana, and provide for its powers and duties; to provide such district with the power to levy for the year 2006 an ad valorem property tax not to exceed ten mills only for the purpose of giving additional support to the school system in the parish; to provide for the ratification of certain acts of a similar district; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 266—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:843(A)(1), (B), (C)(3), (4), (5) and (6), and 851(B)(2), and to repeal R.S. 47:844(A)(5), relative to tobacco tax; to provide for the sale of cigarette stamps; to provide for reciprocal agreements with tax authorities of other states; to provide for a discount to registered tobacco dealers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 266 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "(6)," and before "and" insert "848(B),"

AMENDMENT NO. 2

On page 1, line 8, after "(6)," and before "and" insert "848(B),"

AMENDMENT NO. 3

On page 3, between lines 11 and 12, insert the following:

"§848. Tobacco dealers required to furnish bond; waiver

* * *

B. However, the secretary is authorized to waive the furnishing of this surety bond by any dealer who has and agrees to maintain fixed assets in Louisiana of a net value of not less than one and one-fourth times the amount of the bond which would otherwise be required, who has had a bond on file with the department for a period of not less than three years, and who has not been delinquent in remitting taxes accrued or accruing under this Part during the three-year period immediately preceding application by the dealer for waiver of the bond. If any dealer whose bond has been waived by the secretary becomes delinquent in remitting taxes due under this Part, the secretary may require that such dealer furnish a bond in the amount required in this Section, and such dealer shall not be eligible for a waiver of a bond for a period of three years thereafter. In addition, the dealer must furnish audited financial statements with his waiver request and at such other times as the secretary may require. ~~However, any dealer purchasing stamps on credit will not qualify for the waiver of bond provisions."~~

Reported without amendments by the Legislative Bureau.

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Suspension of the Rules

Rep. Toomy moved for a suspension of the rules in order to take up and consider Senate Bills and Joint Resolutions on Second Reading to be Referred at this time.

Rep. Hebert objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Heaton	Scalise
Alexander	Hunter	Schneider
Ansardi	Jefferson	Smiley
Badon	Katz	Smith, J.H.--8th
Beard	Kleckley	Smith, J.R.--30th
Bowler	LaBruzzo	Toomy
Burns	Lambert	Triche
Crane	Marchand	Tucker
Crowe	Martiny	Waddell
Curtis	McVea	Walker
Damico	Morrish	Walsworth
Geymann	Pitre	Winston
Gray	Powell, M.	Wooton
Greene	Powell, T.	
Guillory, E.	Robideaux	

Total - 43

NAYS

Mr. Speaker	Downs	Montgomery
Baldone	Durand	Odinet
Barrow	Fannin	Pierre
Baudoin	Farrar	Pinac
Baylor	Faucheux	Ritchie
Bruce	Frith	Romero
Carter, K.	Gallot	Smith, G.
Carter, R.	Guillory, M.	St. Germain
Chandler	Hebert	Strain
Cravins	Hill	Thompson
Dartez	Hopkins	Townsend
DeWitt	Jackson	Trahan
Dorsey	Kennedy	White
Dove	McDonald	

Total - 41

ABSENT

Arnold	Glover	LaFleur
Bruneau	Hammett	LaFonta
Burrell	Harris	Lancaster
Cazayoux	Honey	Morrell
Daniel	Hutter	Quezaire
Doerge	Johns	Richmond
Erdey	Kennard	Smith, J.D.--50th

Total - 21

The motion not having received two-thirds vote of the members present and voting, the House refused to suspend the rules.

Suspension of the Rules

On motion of Rep. Durand, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 329—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 15:571.11(L)(1)(a)(introductory paragraph) and (b) and to enact R.S. 15:571.11(L)(1)(c) and (d), relative to distribution of bond forfeitures; to provide for distribution of monies collected from bond forfeitures in the parishes of Iberia and St. Martin; to provide for the percentage of distribution of monies collected to specific entities; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Harris	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.--50th
Carter, R.	Hunter	Smith, J.H.--8th
Cazayoux	Hutter	Smith, J.R.--30th
Chandler	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kennedy	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	
Fannin	Morrell	

Total - 103

NAYS

Total - 0

ABSENT

Kennard	Lambert
---------	---------

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 13:782(I)(4)(d), relative to clerks of courts; to provide that any clerk of court in office for fifty or more years shall be deemed certified under the certification requirements; to provide that such clerk shall not be required to personally attend renewal certification courses; to provide that such clerk shall designate an employee of his office to attend certification courses on his behalf; and to provide for related matters.

Read by title.

Rep. LaFleur moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Harris	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Smiley
Burns	Hill	Smith, G.
Burrell	Honey	Smith, J.D.—50th
Carter, K.	Hopkins	Smith, J.H.—8th
Carter, R.	Hunter	Smith, J.R.—30th
Cazayoux	Hutter	St. Germain
Chandler	Jefferson	Strain
Crane	Johns	Thompson
Cravins	Katz	Toomy
Crowe	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaBruzzo	Triche
Daniel	LaFleur	Tucker
Dartez	LaFonta	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dorsey	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	
Fannin	Morrell	

Total - 100

NAYS

Schneider
Total - 1

ABSENT

Dove	Kennard
Jackson	Lambert

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFleur moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Schneider, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

HOUSE BILL NO. 1396 (Substitute for House Bill No. 543 by Representative Hebert)—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 39:1316, relative to the Louisiana Local Government Budget Act; to require that the governing authority of a parish or municipality take certain actions to study and review any proposal by the governing authority to change the manner in which certain functions, programs, or services are to be provided by the local governmental subdivision or a third-party provider; to provide relative to a public hearing; to require a written report on study findings, conclusions, and recommendations; to provide an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hebert, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hebert gave notice of his intention to call House Bill No. 1396 from the calendar for future action.

Local and Consent Calendar

HOUSE BILL NO. 807—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 33:1572(A)(2)(d), relative to operating expenses for the coroner's office in East Baton Rouge Parish; to require the assessment of a fee in all criminal cases, including traffic violations, in all courts in East Baton Rouge Parish; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinet
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Burns	Hebert	Romero
Burrell	Hill	Smiley
Carter, K.	Honey	Smith, G.
Carter, R.	Hopkins	Smith, J.D.—50th

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Cazayoux	Hunter	Smith, J.H.—8th
Chandler	Hutter	St. Germain
Crane	Jackson	Strain
Cravins	Jefferson	Thompson
Crowe	Johns	Toomy
Curtis	Katz	Townsend
Damico	Kenney	Trahan
Daniel	Kleckley	Triche
Dartez	LaBruzzo	Tucker
DeWitt	LaFleur	Waddell
Doerge	LaFonta	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Total - 98		

NAYS

Schneider
Total - 1

ABSENT

Bruneau	Kennard	Scalise
Hammett	Lambert	Smith, J.R.—30th
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1346—
BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 15:254.9, relative to off-duty law enforcement officers testifying in the Nineteenth Judicial District Court in specified cases; to provide for a sum to be paid per subpoena per day; to provide for transmittal of the fee; to provide for withholdings; to provide for requirements; to provide for a maximum allowable fee; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th

Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	
Farrar	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Arnold	Hammett	Lambert
Daniel	Kennard	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Acting Speaker Cazayoux in the Chair

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Regular Calendar

Suspension of the Rules

On motion of Rep. White, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 176—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 37:1371(B), relative to the state plumbing board; to provide for fees; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. White sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 176 by Representative White

AMENDMENT NO. 1

On page 2, line 23, change "(a)" to "(27)"

AMENDMENT NO. 2

On page 2, line 25, change "(b)" to "(28)"

AMENDMENT NO. 3

On page 2, line 26, change "(c)" to "(29)"

AMENDMENT NO. 4

On page 2, line 27, change "(d)" to "(30)"

AMENDMENT NO. 5

On page 3, line 1, change "(e)" to "(31)"

AMENDMENT NO. 6

On page 3, line 3, change "(f)" to "(32)"

AMENDMENT NO. 7

On page 3, line 5, change "(g)" to "(33)"

AMENDMENT NO. 8

On page 3, line 7, change "(h)" to "(34)"

AMENDMENT NO. 9

On page 3, line 9, change "(i)" to "(35)"

AMENDMENT NO. 10

On page 3, line 12, change "(j)" to "(36)"

On motion of Rep. White, the amendments were adopted.

Rep. White moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	McVea	Ritchie
Bruce	Montgomery	Toomy
Dove	Pierre	Walker
Erdey	Pinac	White
McDonald	Powell, T.	Wooton
Total - 15		

NAYS

Alario	Durand	Lancaster
Alexander	Fannin	Marchand
Ansardi	Farrar	Martiny
Badon	Faucheux	Morrell
Baldone	Frith	Morrish
Barrow	Gallot	Pitre
Baudoin	Geymann	Powell, M.
Baylor	Glover	Quezaire
Beard	Gray	Richmond
Bowler	Greene	Robideaux
Bruneau	Guillory, E.	Romero
Burns	Hammett	Scalise
Burrell	Harris	Schneider
Carter, K.	Heaton	Smiley
Carter, R.	Hebert	Smith, G.
Cazayoux	Hill	Smith, J.D.—50th
Chandler	Honey	Smith, J.H.—8th

Crane	Hopkins	Smith, J.R.—30th
Cravins	Hunter	St. Germain
Crowe	Jackson	Strain
Curtis	Jefferson	Thompson
Damico	Johns	Townsend
Daniel	Katz	Trahan
Dartez	Kenney	Triche
DeWitt	Kleckley	Waddell
Doerge	LaBruzzo	Walsworth
Dorsey	LaFleur	Winston
Total - 81		

ABSENT

Arnold	Hutter	Lambert
Downs	Kennard	Odinot
Guillory, M.	LaFonta	Tucker
Total - 9		

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Romero moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Frith, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 1240—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 47:6024, relative to ad valorem or personal property taxes imposed by political subdivisions; to exempt cooperative endeavors and joint ventures owned or controlled by rural hospital service districts; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Frith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frith to Engrossed House Bill No. 1240 by Representative Frith

AMENDMENT NO. 1

On page 1, line 13, after "venture" delete the remainder of the line, delete lines 14 and 15 in their entirety and insert a colon and the following:

"(1) Is established as a cooperative endeavor or joint venture pursuant to R.S. 46:1077.

(2) Is established to construct or operate one or more of the following:

- (a) Medicare certified hospital.
- (b) Medicare certified independent diagnostic testing facility.
- (c) Magnetic resonance imaging equipment or facility.
- (d) Computerized tomography equipment or facility.

(e) Positron emission tomography scanner or facility.

(f) Ambulatory surgical center.

(g) Comprehensive outpatient rehabilitation facility.

(h) Diagnostic laboratory.

(i) Physical, occupational, or speech therapy clinic or rehabilitation agency.

(3) Provides the rural hospital service district with more than fifty percent of such cooperative endeavor or joint venture.

(4) Provides that the rural hospital service district is entitled to receive its pro rata share of any net profits or losses of the cooperative endeavor or joint venture."

On motion of Rep. Frith, the amendments were adopted.

Rep. Frith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrish
Alario	Farrar	Odinot
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammatt	Robideaux
Bowler	Harris	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Chandler	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFonta	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Erdey	Morrell	
Total - 101		

NAYS

Total - 0

ABSENT

Glover	LaFleur
Kennard	Lambert
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Farrar, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 1056—
BY REPRESENTATIVE FARRAR
AN ACT

To enact Part XXV-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1210.71 through 1210.87, relative to the licensure of claims adjusters; to provide for definitions; to provide for a license; to provide for a license application; to provide for resident and nonresident licenses; to provide for limited licenses; to provide for catastrophe or emergency license; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for continuing education; to provide for referrals by insurers; to provide for standards of conduct; to provide for penalties; to provide for powers of the commissioner of insurance; to provide for regulations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed House Bill No. 1056 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 6, after "emergency" change "license;" to "registration;"

AMENDMENT NO. 2

On page 1, at the end of line 19, delete "who;" and at the beginning of line 20, delete "(a) Investigates" and insert "who investigates"

AMENDMENT NO. 3

On page 2, at the beginning of line 1, change "(i)" to "(a)"

AMENDMENT NO. 4

On page 2, at the beginning of line 2, change "(ii)" to "(b)"

AMENDMENT NO. 5

On page 2, at the beginning of line 3, change "(iii)" to "(c)"

AMENDMENT NO. 6

On page 2, at the beginning of line 4, change "(iv)" to "(d)"

AMENDMENT NO. 7

On page 2, at the beginning of line 5, change "(v)" to "(e)"

AMENDMENT NO. 8

On page 2, at the beginning of line 6, change "(vi)" to "(f)" and at the end of line 6, delete "agent; or" and insert "agent."

AMENDMENT NO. 9

On page 2, delete line 7 in its entirety

AMENDMENT NO. 10

On page 3, line 5, after "(2)" change "A salaried" to "An"

AMENDMENT NO. 11

On page 3, delete line 6 in its entirety and insert "adjustment or investigation of insurance claims."

AMENDMENT NO. 12

On page 3, line 8, after "including" insert "but not limited to an investigator."

AMENDMENT NO. 13

On page 3, line 10, after "insurer" insert "or a licensed employee of a producer"

AMENDMENT NO. 14

On page 4, between lines 2 and 3, insert "(12) A person handling commercial claims for excess coverages as classified by R.S. 22:6(14)."

AMENDMENT NO. 15

On page 7, at the end of line 1, change "license" to "registration"

AMENDMENT NO. 16

On page 7, line 2, after "emergency." delete the remainder of the line and delete lines 3 through 12 in their entirety and insert the following:

"no adjuster's license shall be required for an individual who is employed or retained by an insurer and brought into this state for the purpose of investigating or making adjustment of losses resulting from the catastrophe or emergency. Notwithstanding, the commissioner of insurance shall establish procedures to register all such individuals."

AMENDMENT NO. 17

On page 7, at the beginning of line 13, change "C." to "B."

AMENDMENT NO. 18

On page 7, delete line 14 in its entirety and insert "the privileges of an individual registered pursuant to this Section on grounds specified by Subsection A of R.S."

AMENDMENT NO. 19

On page 7, at the beginning of line 17, change "D." to "C." and after "claims", change "adjuster license" to "registration for an individual"

AMENDMENT NO. 20

On page 7, line 18, after "exceed" change "ninety" to "one hundred eighty"

AMENDMENT NO. 21

On page 7, at the beginning of line 20, change "E." to "D." and after "emergency" change "license" to "registration"

AMENDMENT NO. 22

On page 7, at the end of line 21, delete the period "." and insert "and shall be payable to the commissioner of insurance within ten days of the submission of the registration."

AMENDMENT NO. 23

On page 7, between lines 21 and 22, insert the following:

"E. The registration requirements of this Section shall not apply to a producer of an insurer or a licensed employee of a producer that adjusts undisputed claims or losses under specific authority from the insurer and solely under policies issued by the insurer."

AMENDMENT NO. 24

On page 8, line 25, after "least" change "five" to "three" and at the end of line 8, insert "or has five total years of adjusting experience"

AMENDMENT NO. 25

On page 8, delete lines 27 and 28 in their entirety and insert "Such an individual shall submit to the commissioner of insurance satisfactory proof of claims adjusting experience."

AMENDMENT NO. 26

On page 12, line 23, after "state" change "law, regulation, subpoena." to "insurance law or regulation or a subpoena"

AMENDMENT NO. 27

On page 16, at the end of line 2, delete "in this" and at the beginning of line 3, delete "state"

AMENDMENT NO. 28

On page 16, line 3, after "adjuster" insert "in this state"

AMENDMENT NO. 29

On page 16, at the beginning of line 20, after "jurisdiction" delete the period "." and insert "for violation of insurance laws or regulations, any felony, or any misdemeanor involving misappropriation of funds."

On motion of Rep. Farrar, the amendments were adopted.

Rep. Bowler sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 1056 by Representative Farrar

AMENDMENT NO. 1

On page 16, line 25, after "2007" change the "." to a "," and insert "if and only if the Act which originated as House Bill No. 518 of the 2006 Regular Session of the Legislature is enacted and becomes law."

On motion of Rep. Bowler, the amendments were adopted.

Rep. Farrar moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Bruneau	Harris	Robideaux
Burns	Heaton	Romero
Burrell	Hebert	Scalise
Carter, K.	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hopkins	Smith, J.H.—8th
Chandler	Hunter	Smith, J.R.—30th
Crane	Hutter	St. Germain
Cravins	Jackson	Strain
Crowe	Jefferson	Thompson
Curtis	Johns	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	
Total - 94		

NAYS

Alexander	Bowler
Beard	Schneider
Total - 4	

ABSENT

Glover	Lambert	White
Katz	Odinet	
Kennard	Smiley	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Wooton gave notice of his intention to call House Bill No. 424 from the calendar for future action.

Suspension of the Rules

On motion of Rep. Farrar, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 518—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for claims adjusters; and to provide for related matters.

Called from the calendar.

Read by title.

Point of Order

Rep. Walsworth asked for a ruling from the Chair as to whether House Bill No. 518 raises a tax or a fee.

Ruling of the Chair

The Chair ruled it is not the role of the Chair to rule if the bill raises a tax or a fee.

Motion

Rep. Bowler moved that the bill be returned to the calendar.

Rep. Farrar objected.

By a vote of 38 yeas and 56 nays, the House refused to return the bill to the calendar.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	LaFonta
Alario	Farrar	Marchand
Arnold	Faucheux	Morrish
Badon	Frith	Pierre
Baldone	Glover	Pinac
Baylor	Gray	Quezaire
Bruce	Hammett	Richmond
Burns	Harris	Ritchie
Burrell	Heaton	Smith, G.
Carter, K.	Hebert	Smith, J.D.—50th
Carter, R.	Hill	Smith, J.R.—30th
Cazayoux	Honey	St. Germain
Curtis	Hunter	Strain
Dartez	Jackson	Toomy
DeWitt	Jefferson	Townsend
Doerge	Johns	Walker
Dorsey	Kenney	White
Downs	LaFleur	Wooton
Total - 54		

NAYS

Alexander	Erdey	Powell, T.
Barrow	Fannin	Robideaux
Baudoin	Greene	Scalise
Beard	Guillory, E.	Schneider
Bowler	Guillory, M.	Smith, J.H.—8th
Bruneau	Katz	Thompson
Chandler	Kleckley	Trahan
Crane	LaBruzzo	Triche
Cravins	Lancaster	Tucker
Crowe	Martiny	Waddell
Damico	McVea	Walsworth
Daniel	Pitre	Winston
Dove	Powell, M.	
Total - 38		

ABSENT

Ansardi	Kennard	Odinet
Gallot	Lambert	Romero
Geymann	McDonald	Smiley
Hopkins	Montgomery	
Hutter	Morrell	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Thompson, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Suspension of the Rules

On motion of Rep. Daniel, the rules were suspended in order to take up and consider Special Order of the Day at this time.

Speaker Salter in the Chair

Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

SENATE BILL NO. 655—
 BY SENATORS ADLEY, KOSTELKA AND QUINN AND REPRESENTATIVES DANIEL, BEARD, CRANE, DAMICO, DEWITT, FRITH, GEYMAN, HAMMETT, KATZ, LANCASTER, MARTINY, PIERRE, PITRE, T. POWELL, SCALISE AND WALSWORTH

AN ACT

To amend and reenact R.S. 30: 82(6), 89.1 and 2015.1(B), (C)(1), (2), and (4), (D), (E)(1), (F)(2), (H), (I), and (K) and to enact R.S. 30:29, 29.1, and 2015.1(L), relative to remediation; to provide relative to remediation of certain sites by the Department of Natural Resources; to provide relative to the remediation of oil and gas and other sites; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain agencies; to provide relative to certain actions or claims involving environmental damage; to provide relative to parties, proceedings, orders, judgments, and awards by the court; to provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oilfield sites and exploration and production sites; to provide for landowner notification of environmental testing; and to provide for related matters.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 655 by Senator Adley

AMENDMENT NO. 1

On page 14, line 24, change "Section" to "Act"

AMENDMENT NO. 2

On page 14, line 25, after "Act." delete the remainder of the line and delete line 26 in its entirety and insert in lieu thereof the following:

"Section 3. The provisions of Section 1 of this Act shall not apply to any case in which the court on or before March 27, 2006, has issued or signed an order setting the case for trial, regardless of whether such trial setting is continued. However, any party or parties who filed such a judicial demand shall have the right to have such litigation governed by all the provisions of R.S. 30:29 and 29.1 by filing with the court in which such litigation has been filed a notice of the exercise of such right within sixty days of the effective date of this Act."

AMENDMENT NO. 3

On page 14, line 27, change "Section 3." to "Section 4."

On motion of Rep. Daniel, the amendments were adopted.

Rep. Daniel moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
Burns	Hebert	Schneider
Burrell	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.—50th
Chandler	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Baudoin	Kennard	McDonald
Carter, K.	LaFleur	Pitre
Total - 6		

The Chair declared the above bill was finally passed.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Greene, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

Suspension of the Rules

On motion of Rep. Greene, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 240—
BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT

To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Greene sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Greene to Engrossed House Bill No. 240 by Representative Greene

AMENDMENT NO. 1

On page 1, line 12, after "hours" insert a period "." and delete the remainder of the line and delete line 13 in its entirety

On motion of Rep. Greene, the amendments were adopted.

Rep. Gallot sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed House Bill No. 240 by Representative Greene

AMENDMENT NO. 1

On page 1, line 17, after "procession." insert the following:

"However, the operator of a motor vehicle may pass a funeral procession which is traveling in the right lane of a divided highway, multiple-lane highway, or interstate."

On motion of Rep. Gallot, the amendments were adopted.

Rep. Greene moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrell
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bruce	Harris	Scalise
Bruneau	Heaton	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	St. Germain
Chandler	Johns	Strain
Crane	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	
Total - 89		

NAYS

Bowler	Gray	Richmond
Cravins	Morrish	Smith, J.R.—30th
Farrar	Powell, T.	
Total - 8		

ABSENT

Dartez	Hutter	Townsend
Hebert	Kennard	Wooton
Hill	Kleckley	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Jackson, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

Suspension of the Rules

On motion of Rep. Pinac, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 269—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 26:909 and R.S. 47:843(C)(5), 848(B), and 859(A)(introductory paragraph) and (1) and to enact R.S. 26:907.1 and 916(H) and R.S. 47:841(F), 844(D), and 844.1, relative to regulation of tobacco products; to provide for certain regulation, permitting, and other requirements for certain elements of the tobacco industry; to authorize enforcement and audit of certain activities; to provide for a new provision governing dealer permits under the office of alcohol and tobacco control; to provide for suspension or revocation of a permit by the office of alcohol and tobacco control; to provide for applying for and obtaining a permit; to provide that certain provisions providing for, applying for, and obtaining a permit, certain obligations of the secretary of the Department of Revenue, certain provisions relating to an applicant having been convicted of a felony, and certain provisions requiring fees for application in the Department of Revenue only apply to tobacconists; to provide for definitions; to dedicate a portion of the avails of certain state tobacco taxes for purposes of enforcement of state tobacco regulations; to establish the Tobacco Regulation Enforcement Fund as a special fund in the state treasury; to provide for the deposit, investment, and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Reengrossed House Bill No. 269 by Representative Pinac

AMENDMENT NO. 1

On page 3, line 2, following "51:421" and before ";" insert "et seq."

AMENDMENT NO. 2

On page 5, line 6, change "one cent of the tax" to "one cent per cigarette from the tax"

AMENDMENT NO. 3

On page 5, line 26, following "shall" and before "to" change "only apply" to "apply only"

On motion of Rep. McDonald, the amendments were adopted.

Rep. Pinac sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed House Bill No. 269 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 15 in their entirety and insert "enact R.S. 47:841(F), relative to tobacco products; to establish the"

AMENDMENT NO. 2

On page 1, delete lines 20 and 21 in their entirety and delete pages 2 and 3 in their entirety and on page 4 delete lines 1 through 17 in their entirety and insert the following:

"Section 1. R.S. 47:841(F) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 5, delete lines 14 through 28 in their entirety and delete page 6 in its entirety and on page 7 delete lines 1 through 21 in their entirety

AMENDMENT NO. 4

On page 7, at the beginning of line 21 change "Section 4." to "Section 2."

On motion of Rep. Pinac, the amendments were adopted.

Rep. Pinac moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Bruce	Guillory, M.	Richmond
Bruneau	Hammett	Ritchie
Burns	Harris	Robideaux
Burrell	Heaton	Romero
Carter, K.	Hebert	Schneider
Carter, R.	Hill	Smiley
Cazayoux	Honey	Smith, G.
Chandler	Hopkins	Smith, J.D.—50th
Crane	Hunter	Smith, J.H.—8th
Cravins	Hutter	Smith, J.R.—30th
Crowe	Jackson	St. Germain
Curtis	Jefferson	Strain
Damico	Johns	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Durand	Marchand	White
Erdey	Martiny	Wooton
Fannin	McDonald	
Total - 92		

NAYS

Barrow	LaBruzzo	Walsworth
Beard	Powell, M.	Winston
Bowler	Scalise	
Katz	Tucker	
Total - 10		

ABSENT

Downs	Kennard	Morrell
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Richmond, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 1376 (Substitute for House Bill No. 407 by Representative Richmond)—
 BY REPRESENTATIVE RICHMOND
 AN ACT

To enact the "Louisiana Tax Delinquency Amnesty Act"; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammitt	Ritchie
Bowler	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Chandler	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	Montgomery	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Downs	Kennard	McVea
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Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Richmond, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 558—
 BY REPRESENTATIVE RICHMOND
 AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 558 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 11, after "distribute" and before "from" insert "heroin"

On motion of Rep. Richmond, the amendments were adopted.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 558 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 12, change "twenty" to "fifteen"

AMENDMENT NO. 2

On page 2, line 23, change "twenty" to "fifteen"

Rep. Richmond moved the adoption of the amendments.

Rep. Walsworth objected.

By a vote of 61 yeas and 30 nays, the amendments were adopted.

Rep. Walsworth sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 558 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 12, change "twenty" to "fifty"

AMENDMENT NO. 2

On page 2, line 23, change "twenty" to "fifty"

On motion of Rep. Walsworth, the amendments were withdrawn.

Rep. Richmond moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Lambert
Ansardi	Farrar	Lancaster
Arnold	Faucheux	Marchand
Badon	Gallot	Martiny
Baldone	Glover	Odinet
Barrow	Gray	Pierre
Baylor	Guillory, E.	Pinac
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Richmond
Burrell	Harris	Ritchie
Carter, K.	Heaton	Romero
Cazayoux	Hebert	Smith, G.
Cravins	Hill	Smith, J.D.—50th
Curtis	Honey	Smith, J.H.—8th
Damico	Hopkins	St. Germain
Daniel	Hunter	Townsend
Dartez	Jackson	Walker
DeWitt	Jefferson	White
Dorsey	LaFleur	Wooton
Downs	LaFonta	
Total - 59		

NAYS

Alario	Greene	Robideaux
Alexander	Hutter	Scalise
Beard	Johns	Schneider
Bruneau	Katz	Smiley
Burns	Kenney	Smith, J.R.—30th
Carter, R.	Kleckley	Strain
Chandler	LaBruzzo	Thompson
Crane	McDonald	Toomy
Crowe	McVea	Trahan
Doerge	Montgomery	Triche
Dove	Morrell	Tucker
Erdey	Morrish	Waddell
Fannin	Pitre	Walsworth
Frith	Powell, M.	Winston
Geymann	Powell, T.	
Total - 44		

ABSENT

Baudoin	Kennard
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Richmond, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 548: Senators Ellington, Smith, and Malone.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 548: Reps. Johns, Pierre, and Jack Smith.

Message from the Senate

HOUSE BILLS

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 38
Returned without amendments

House Bill No. 72
Returned with amendments

House Bill No. 85
Returned with amendments

House Bill No. 107
Returned without amendments

House Bill No. 207
Returned without amendments

House Bill No. 227
Returned without amendments

House Bill No. 470
Returned without amendments

House Bill No. 521
Returned without amendments

House Bill No. 586
Returned with amendments

House Bill No. 595
Returned without amendments

House Bill No. 634
Returned with amendments

House Bill No. 655
Returned without amendments

House Bill No. 685
Returned with amendments

House Bill No. 689
Returned without amendments

House Bill No. 787
Returned with amendments

House Bill No. 866
Returned without amendments

House Bill No. 903
Returned without amendments

House Bill No. 932
Returned without amendments

House Bill No. 933
Returned without amendments

House Bill No. 1189
Returned without amendments

House Bill No. 1269
Returned without amendments

House Bill No. 1271
Returned without amendments

House Bill No. 1371
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 88

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 88—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1006(A)(1) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retirees; to provide for limitation on earnings; to provide for payment to the system of amounts in excess of such limitation; to provide for an effective date; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 15, 18, and 98

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 24, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 2, 26,142, 173, 180, 217, and 407

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 236—

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to reconsider the decision to allow Louisiana Farm Bureau Mutual Insurance Company to exclude wind and hail coverages from its homeowners' policies.

Read by title.

On motion of Rep. Hebert, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 237—

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Petty Officer Third Class Lee Hamilton Deal of West Monroe who was killed as a result of enemy action in Iraq.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 238—

BY REPRESENTATIVE FARRAR

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to work in conjunction with the Governor's Office of Elderly Affairs to study the feasibility of implementing a Silver Alert System to provide for an early warning system to help locate missing senior citizens and to report its findings prior to March 1, 2007.

Read by title.

On motion of Rep. Farrar, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 239—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Culture, Recreation and Tourism to create a state heritage area program in order to recognize and distinguish significant cultural, historic, and natural resources.

Read by title.

On motion of Rep. Glover, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 206, by Martiny
Reported favorably. (9-0)

House Bill No. 682, by Carter, K.
Reported favorably. (9-0) (Regular)

Senate Bill No. 25, by Cain
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 129, by Jones
Reported with amendments. (6-2-1) (Regular)

Senate Bill No. 178, by Kostelka
Reported favorably. (10-0) (Regular)

Senate Bill No. 528, by Adley
Reported with amendments. (10-0) (Regular)

Senate Bill No. 611, by Adley
Reported favorably. (11-0) (Regular)

DANIEL MARTINY
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Education

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

Senate Bill No. 539, by Ullo
Reported with amendments. (15-0) (Regular)

CARL CRANE
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau

Report of the Committee on Health and Welfare

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 693, by Johns
Reported with amendments. (11-0) (Regular)

Senate Bill No. 193, by Lentini
Reported favorably (12-0) (Regular)

Senate Bill No. 246, by McPherson
Reported favorably. (12-0) (Regular)

Senate Bill No. 418, by Hines
Reported with amendments. (13-0) (Regular)

Senate Bill No. 681, by McPherson
Reported favorably (11-0) (Regular)

SYDNIE MAE DURAND
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on House and Governmental Affairs

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 12, by Hebert
Reported with amendments. (6-0)

House Concurrent Resolution No. 194, by LaFonta
Reported favorably. (6-0)

Senate Bill No. 210, by Jones
Reported with amendments. (8-0) (Regular)

Senate Bill No. 263, by Hines
Reported with amendments. (9-0) (Regular)

Senate Bill No. 296, by Quinn (Joint Resolution)
Reported favorably. (5-4) (Regular)

Senate Bill No. 306, by Jones
Reported with amendments. (6-0) (Regular)

Senate Bill No. 307, by Jones
Reported with amendments. (6-0) (Regular)

Senate Bill No. 320, by Hines
Reported with amendments. (8-0) (Regular)

Senate Bill No. 404, by Hines
Reported with amendments. (9-0) (Regular)

Senate Bill No. 541, by Ullo
Reported with amendments. (7-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 296, were referred to the Legislative Bureau.

Report of the Committee on Insurance

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Bill No. 1314, by Townsend
Reported with amendments. (12-0) (Regular)

Senate Bill No. 249, by Cain
Reported favorably. (10-0) (Regular)

Senate Bill No. 535, by N. Gautreaux
Reported favorably. (14-0) (Regular)

Senate Bill No. 733, by Broome
Reported favorably. (11-0) (Regular)

KAREN CARTER
Chair

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Natural Resources

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources to submit the following report:

Senate Concurrent Resolution No. 59, by McPherson
Reported with amendments. (9-0-1)

Senate Bill No. 229, by Dardenne
Reported with amendments. (11-0-1) (Regular)

Senate Bill No. 237, by Malone
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 238, by Malone
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 329, by McPherson
Reported with amendments. (9-0-1) (Regular)

Senate Bill No. 453, by Malone
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 635, by Dupre
Reported with amendments. (12-0-1) (Regular)

WILFRED PIERRE
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau

Report of the Committee on Retirement

Wednesday, May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Retirement to submit the following report:

House Bill No. 273, by Arnold
Reported favorably. (7-0) (Regular)

House Bill No. 300, by Daniel
Reported with amendments. (6-3) (Regular)

House Bill No. 672, by Triche
Reported with amendments. (4-3) (Regular)

House Bill No. 1012, by Heaton
Reported favorably. (8-0) (Regular)

House Bill No. 1018, by Schneider
Reported with amendments. (7-0) (Regular)

House Bill No. 1077, by Farrar
Reported with amendments. (8-0) (Regular)

Senate Bill No. 37, by Gautreaux, B.
Reported favorably. (6-0) (Regular)

Senate Bill No. 38, by Gautreaux, B.
Reported favorably. (7-0) (Regular)

Senate Bill No. 39, by Gautreaux, B.
Reported favorably. (7-0) (Regular)

Senate Bill No. 63, by Gautreaux, B.
Reported with amendments. (7-0) (Regular)

M.P. SCHNEIDER III
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

May 24, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 22
Reported without amendments.

Senate Bill No. 55
Reported without amendments.

Senate Bill No. 78
Reported without amendments.

Senate Bill No. 89
Reported without amendments.

Senate Bill No. 92
Reported without amendments.

Senate Bill No. 244
Reported without amendments.

Senate Bill No. 256
Reported without amendments.

Senate Bill No. 344
Reported without amendments.

Senate Bill No. 354
Reported without amendments.

Senate Bill No. 357
Reported without amendments.

Senate Bill No. 359
Reported without amendments.

Senate Bill No. 373
Reported without amendments.

Senate Bill No. 375
Reported without amendments.

Senate Bill No. 384
Reported without amendments.

Senate Bill No. 473
Reported without amendments.

Senate Bill No. 529
Reported with amendments.

Senate Bill No. 552
Reported without amendments.

Senate Bill No. 560
Reported without amendments.

Senate Bill No. 578
Reported without amendments.

Senate Bill No. 583
Reported without amendments.

Senate Bill No. 584
Reported without amendments.

Senate Bill No. 621
Reported without amendments.

Senate Bill No. 641
Reported without amendments.

Senate Bill No. 642
Reported without amendments.

Senate Bill No. 656
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Pitre, the Committee on Natural Resources was discharged from further consideration of House Bill No. 1139.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 30:2015.1(C)(3) and (4) and (D) and to enact Chapter 1-A of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2005 through 2005.5 and 2015.1(J)(3) and (L), relative to certain administrative and judicial actions and proceedings involving claims for environmental injury and property remediation and restoration; to provide relative to claims for environmental injury; to provide certain terms, conditions, procedures, definitions, duties, requirements, and effects, including effects upon judicial actions and procedures; to provide relative to certain remediation and restoration of property; to provide relative to remediation of usable groundwater; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pitre, the bill was withdrawn from the files of the House.

Privileged Report of the Committee on Enrollment

May 24, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 77—

BY REPRESENTATIVE SCHNEIDER

A RESOLUTION

To commend R. Todd Williams and the entire Toad Hollow Vineyards family for their generosity to the citizens of Slidell and the state following the hurricanes of 2005.

HOUSE RESOLUTION NO. 78—

BY REPRESENTATIVE FRITH

A RESOLUTION

To commend the Kaplan High School Lady Pirates softball team.

HOUSE RESOLUTION NO. 79—

BY REPRESENTATIVE MARTINY

A RESOLUTION

To commend Deeni Shannon, the administrator of Summerville Senior Living in Kenner, upon her receipt of the 2006 Administrator Hero Award from the Assisted Living Federation of America.

HOUSE RESOLUTION NO. 80—

BY REPRESENTATIVES JOHNS, GEYMAN, KLECKLEY, AND MORRISH

A RESOLUTION

To recognize Wednesday, May 24, 2006, as Louisiana Chemical Industry Day.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 24, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles to provide an update to the House and Senate Transportation, Highways and Public Works Committees prior to the adjournment of the 2006 Regular Session, regarding the status of its field offices in hurricane-affected areas.

HOUSE CONCURRENT RESOLUTION NO. 219—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To commend the Lady Tarpons of South Cameron High School for winning the Class 1A State Softball Championship.

HOUSE CONCURRENT RESOLUTION NO. 221—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To proclaim May 20 through the 26, 2006, as Safe Boating Week in Louisiana and the start of a year-round effort to promote safe boating.

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To recognize Alpha Kappa Alpha Sorority, Incorporated as a benevolent and valiant leader in the wake of Hurricanes Katrina and Rita and the devastation endured by the citizens of Louisiana and to commend the organization for its resolute position and concern for the citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 224—

BY REPRESENTATIVES BRUCE, BAYLOR, BURRELL, GLOVER, HOPKINS, MONTGOMERY, M. POWELL, SALTER, JANE SMITH, AND WADDELL AND SENATORS CHEEK AND JACKSON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Sam Giordano, president and general manager of the State Fair of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 24, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 12—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 14:220.1(B), relative to leased movables; to increase the penalty for failure to return a leased movable in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 56—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:2795.3(A)(1), (3)(a), (4), and (7), relative to civil liability; to provide a limitation of liability for horse racing; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 76—

BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, LABRUZZO, MARTINY, PITRE, AND TOOMY AND SENATORS LENTINI AND SHEPHERD

AN ACT

To enact R.S. 42:1441.3(G), relative to public liability; to provide for the civil liability of political subdivisions; to provide for the determination of master for liability purposes; to provide for political subdivisions acting as third-party payors; and to provide for related matters.

HOUSE BILL NO. 86—

BY REPRESENTATIVE KENNEY AND SENATOR ELLINGTON

AN ACT

To enact R.S. 33:451, relative to mayors' courts; to establish a mayor's court in the town of Clarks, Caldwell Parish; to provide for the territorial jurisdiction of the court; to grant the mayor power, authority, and jurisdiction; and to provide for related matters.

HOUSE BILL NO. 89—

BY REPRESENTATIVES LAFLEUR, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, KATZ, KENNEY, LAFONTA, LAMBERT, LANCASTER, MCDONALD, MCVEA, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRES, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WADDELL, WALKER, AND WHITE AND SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:19 and 20, relative to the justifiable use of force or violence; to provide for a presumption in the use of force or violence under certain circumstances; to provide for immunity for criminal prosecution for the use of force or violence under certain circumstances; to provide for applicability; to provide that there is no duty to retreat when a person is lawfully where they should be; and to provide for related matters.

HOUSE BILL NO. 150—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(i), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 151—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(b), relative to the Department of Economic Development; to provide for re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 203—

BY REPRESENTATIVES PINAC AND M. POWELL

AN ACT

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1606, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

HOUSE BILL NO. 205—

BY REPRESENTATIVES LAFONTA AND KATZ

AN ACT

To amend and reenact R.S. 40:2018.1(A), (B)(1)(a)(ii), (b)(ii), (d), (e), (j) through (l), (4), (7) through (9), and (13), (E)(3), and (G) and to repeal R.S. 40:2018.1 (B)(1)(q) and (s), relative to the Louisiana Commission on HIV, AIDS and Hepatitis C; to provide for a termination date; to provide for the members and functions of the commission; and to provide for related matters.

HOUSE BILL NO. 237—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 47:302.39(B), relative to state funds; to provide for the use of monies appropriated from the DeSoto Parish Visitor Enterprise Fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 247—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(n), relative to the Louisiana Economic Development Council and certain other agencies within the office of the governor, including provisions to provide for the re-creation of the council and such agencies; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 256—

BY REPRESENTATIVES WALKER AND KATZ AND SENATOR JACKSON

AN ACT

To amend and reenact R.S. 28:454.15 and 824(A), R.S. 40:1300.51(2)(b), (3), and (5), 2006(A)(2)(k), (B)(2)(d), and (E)(2)(j), 2007.1(A)(1)(j), 2116(G) and (J)(1), 2120.4(B)(10)(c), 2180(2), 2180.1(introductory paragraph), and 2180.4(B), and R.S. 46:2622(6) and 2625(A)(1)(introductory paragraph) and (b), relative to intermediate care facilities for the mentally retarded; to change the name of intermediate care facilities for the mentally retarded to intermediate care facilities for people with developmental disabilities; and to provide for related matters.

HOUSE BILL NO. 261—

BY REPRESENTATIVE JOHNS AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:1164(2)(a), 1203(A)(7), 1209, 1232(B), and 1241(A)(17)(c), relative to the Pharmacy Practice Act; to provide for definitions; to provide for qualifications for reciprocity for pharmacists' licensure; to provide relative to pharmacists registered and licensed not less than fifty years; to provide relative to out-of-state pharmacies; to provide relative to the refusal, restriction, suspension, or revocation of licenses; and to provide for related matters.

HOUSE BILL NO. 296—

BY REPRESENTATIVE CAZAYOUX AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:302.28(B) and to repeal R.S. 47:302.28(C), relative to the Pointe Coupee Parish Visitor Enterprise Fund; to provide for uses of monies in the fund; and to provide for related matters.

HOUSE BILL NO. 302—

BY REPRESENTATIVES STRAIN, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, WADDELL, AND WINSTON AND SENATORS CHEEK AND NEVERS

AN ACT

To enact R.S. 37:761.1 and 795(B)(1)(l), relative to the dental practice act; to provide for the procedures and requirements to obtain a retired volunteer dental license; to provide for fees and costs; and to provide for related matters.

HOUSE BILL NO. 303—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:981.3(A), relative to the Uniform Controlled Dangerous Substances Law; to provide for violations of the Uniform Controlled Dangerous Substances Law in drug-free zones; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 358—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1406(1), relative to the unfair trade practices and consumer protection law; to provide for an exemption for federally insured financial institutions and licensees of the Office of Financial Institutions; and to provide for related matters.

HOUSE BILL NO. 379—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

HOUSE BILL NO. 438—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

HOUSE BILL NO. 506—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 37:1782(14), 1796(A), and 1798(A) and to enact R.S. 37:1782(15) and (16), relative to pawnbrokers; to provide for definitions; to provide for recordkeeping; to provide for information to be furnished to police; and to provide for related matters.

HOUSE BILL NO. 706—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 19:136 and 136.1(3), relative to the expropriation of blighted property; to authorize the city of Grambling to expropriate by a declaration of taking; and to provide for related matters.

HOUSE BILL NO. 713—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 13:1904(C) and (D), relative to the destruction of certain records in the City Court of Ruston; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destruction of records; to provide for requirements prior to destruction; and to provide for related matters.

HOUSE BILL NO. 846—

BY REPRESENTATIVES DORSEY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND SALTER AND SENATORS BAJOEI, HEITMEIER, HINES, AND MOUNT
AN ACT

To enact R.S. 29:769(E), relative to public health emergencies; to provide during such emergencies for the temporary registration of certain health care providers licensed in another jurisdiction of the United States; and to provide for related matters.

HOUSE BILL NO. 930—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact Paragraph 23(introductory paragraph) of Article XIV, Section 15. I of the Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the Louisiana Constitution of 1974, and R.S. 33:2493 and 2553, relative to the municipal fire and police civil service; to provide relative to the qualifications of persons admitted to promotional and competitive employment tests; and to provide for related matters.

HOUSE BILL NO. 937—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 33:2491(I) and 2551(9), relative to fire and police civil service boards; to provide relative to employment lists established and maintained by such boards; to provide relative to the qualifications of persons placed on such lists; and to provide for related matters.

HOUSE BILL NO. 975—

BY REPRESENTATIVE BRUCE AND SENATOR CHEEK
AN ACT

To enact R.S. 33:4766.1, relative to the village of Grand Cane; to provide relative to the repair of dilapidated and dangerous structures in the village; to authorize the governing authority of the village to file liens against property owners for failure to pay costs owed to such governing authority with respect to such structures; and to provide for related matters.

HOUSE BILL NO. 1006—

BY REPRESENTATIVES DOERGE, DOWNS, AND MONTGOMERY
AN ACT

To authorize and provide for the transfer of certain property, located in Webster Parish from the University of Louisiana System, acting with and on behalf of Louisiana Tech University, to the Military Department, state of Louisiana; and to provide for related matters.

HOUSE BILL NO. 1093—

BY REPRESENTATIVES DURAND, BALDONE, AND ROMERO
AN ACT

To amend and reenact R.S. 14:67.9, relative to theft of oil and gas equipment; to provide for increased penalties; and to provide for related matters.

HOUSE BILL NO. 1119—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3141.3(A)(4), 3141.5(C)(4), and 3141.18(A), (B), (C), and (D), to enact R.S. 17:3141.3(G) and R.S. 36:651(L) and 801.5, and to repeal R.S. 36:651(G)(1), relative to proprietary schools; to provide relative to the membership and duties of the Advisory Commission on Proprietary Schools; to provide relative to the revocation of licenses in the event of a change of ownership of a proprietary school; to provide relative to certain authority of the Board of Regents and the Advisory Commission on Proprietary Schools with regard to the investigation of complaints and hearings relative thereto; to provide relative to the placement of the Advisory Commission on Proprietary Schools in the executive branch of state government and for the exercise of its powers, duties, functions, and responsibilities; and to provide for related matters.

HOUSE BILL NO. 1134—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 33:9576(A), (B), and (D)(5) and to enact R.S. 33:9576(C)(7), (D)(6), and (E), relative to the Calcasieu Parish Gaming Revenue District; to authorize the district to incur debt and issue bonds and other evidences of indebtedness; to provide for purposes and procedures; and to provide for related matters.

HOUSE BILL NO. 1135—

BY REPRESENTATIVE FRITH
AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Vermilion Parish.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.1(D)(3), (4), and (5), relative to the crime of cruelty to animals; to identify certain species of birds as animals for purposes of the crime; and to provide for related matters.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 25:380.92(C)(introductory paragraph) and to enact R.S. 25:380.92(C)(3), relative to the governing board of the Mansfield Female College Museum; to increase the membership; to provide relative to appointment; to provide relative to terms; and to provide for related matters.

HOUSE BILL NO. 1159—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 17:85.11, relative to naming a stadium; to authorize the parish school board in certain parishes to name a stadium in honor of a former football coach and a team doctor; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 1201—

BY REPRESENTATIVES HONEY, BALDONE, BURRELL, CAZAYOUX, DORSEY, GEYMANN, GRAY, HEATON, MARTINY, QUEZAIRE, SALTER, SCHNEIDER, JANE SMITH, WHITE, WOOTON, ALARIO, ARNOLD, BADON, BARROW, BAUDOIN, BURNS, K. CARTER, CRANE, CRAVINS, CURTIS, DANIEL, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY, HILL, HUTTER, JACKSON, JEFFERSON, KATZ, LABRUZZO, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, ROMERO, SCALISE, GARY SMITH, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, AND TUCKER AND SENATOR BROOME

AN ACT

To amend and reenact R.S. 15:587.1(C)(introductory paragraph) and (1) and to enact R.S. 17:15(E), relative to criminal background checks; to provide for criminal history information for teachers, school employees, and others who are applying for a position of supervisory or disciplinary authority over children; to add crimes of violence, sex offenses and the crimes of voyeurism, and peeping Tom to the list of crimes which are maintained by the Bureau of Criminal Identification and Information and reported to employers; to require teachers and other school employees to disclose convictions or pleas for certain criminal offenses to their employer; and to provide for related matters.

HOUSE BILL NO. 1210—

BY REPRESENTATIVE LAFONTA

AN ACT

To amend and reenact R.S. 30:2522(4) and 2531.1(A), relative to littering; to amend the definition of litter to include roofing nails; to amend provisions of the crime of gross littering to include roofing nails; and to provide for related matters.

HOUSE BILL NO. 1258—

BY REPRESENTATIVES KLECKLEY, MCDONALD, AND WALSWORTH

AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(8) and to enact Code of Criminal Procedure Article 814(A)(8.1), relative to responsive verdicts; to provide for oral sexual battery as a responsive verdict to aggravated rape; to provide for responsive verdicts of aggravated rape of a child under the age of thirteen; and to provide for related matters.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE ROBIDEAUX AND SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREUX, N. GAUTREUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, CAZAYOUX, CHANDLER, CRAVINS, CROWE, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON,

TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1322—

BY REPRESENTATIVES DOWNS AND GALLOT

AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or use of state sales tax extension for certain economic development projects or programs; and to provide for related matters.

HOUSE BILL NO. 1335—

BY REPRESENTATIVES GLOVER, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, GALLOT, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFONTA, LAMBERT, MARTINY, MCDONALD, MONTGOMERY, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATOR CHEEK

AN ACT

To amend and reenact R.S. 14:67.16(A) and (C), relative to identity theft; to provide for penalties for the crime of identity theft against persons sixty years of age or older or disabled; and to provide for related matters.

HOUSE BILL NO. 1369 (Substitute for House Bill No. 581 by Representative Geymann)—

BY REPRESENTATIVES GEYMANN, ALARIO, ALEXANDER, BAUDOIN, BEARD, BRUCE, BURNS, R. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, GLOVER, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, KENNEY, KLECKLEY, LAFLEUR, LAFLEUR, LAFONTA, LAMBERT, MARCHAND, MCDONALD, MONTGOMERY, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHE, ROBIDEAUX, ROMERO, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WHITE, AND WOOTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A) and to enact Chapter 3-D of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:561 through 561.7, relative to sex offenders; to provide for supervised release of sex offenders; to provide for the duties of the Department of Public Safety and Corrections; to provide for the conditions of supervised release; to provide for the duration of supervised release; to provide for applicability; to provide for the adoption of administrative rules; to provide for exceptions; to provide for penalties for failure to comply with the conditions of supervised release; to provide for duties of the court to explain the terms and conditions of supervised release; to provide that supervised release shall not constitute probation and as such is not subject to the five-year limitation on the length of probation; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Privileged Report of the Committee on Enrollment

May 24, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following Joint Resolutions have been properly enrolled:

HOUSE BILL NO. 389—

BY REPRESENTATIVES TRICHE, ARNOLD, BALDONE, CURTIS, DARTEZ, FAUCHEUX, HEATON, KENNEY, AND WALSWORTH AND SENATORS ADLEY, DUPLESSIS, DUPRE, N. GAUTREAUX, HOLLIS, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, AND ULLO

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A)(3) and (5) of the Constitution of Louisiana, relative to the extension of the homestead exemption to trusts; to provide that the exemption shall extend to revocable and irrevocable trusts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above Joint Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Kenney, at 6:26 P.M., the House agreed to adjourn until Thursday, May 25, 2006, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, May 25, 2006.

ALFRED W. SPEER
Clerk of the House